





PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Attorney Docket No. 02-463-A)

In application of:	)	
	)	
Lewis et al.	)	
	)	Examiner: To Be Assigned
Serial No.: 10/608,266	)	
	)	Group Art Unit: 2643
Filed: June 27, 2003	)	
	)	
For: Updating Diagnostic Device Software and	)	
Enabling Features	)	

INFORMATION DISCLOSURE STATEMENT

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

## U.S. PATENT DOCUMENTS

	Document Number	Date	Name
1.	5,490,216 A	02/06/1996	Richardson III
2.	5,757,908 A	05/26/1998	Cooper et al.

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Translation	
				Yes	No
1.	EP 1 016 960 A	07/05/2000	EPO		X

This Information Disclosure Statement is being filed:

- ☐ within three months of the filing date of a national application; within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office Action on the merits. 37 C.F.R. §1.97 (b)
- ☒ **after** three months of the filing date of a national application, or the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or **after** the mailing date of a first Office Action on the merits, but **before** the mailing date of a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), and includes (37 C.F.R. § 1.97 (c):
- ☒ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below)

**OR**

- ☐ the fee of \$\_\_\_\_\_ set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), but before, or simultaneously with, the payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" and "Method of Payment of Fees" below). Applicants hereby petitions for consideration of the Information Disclosure Statement submitted herewith and the accompanying references in examination of the subject patent application.

## CERTIFICATION

- ☒ The **undersigned** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

## FEES

- ☒ **No fee** is owed by the applicant(s).
- ☐ The **IDS Fee** of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(p) is enclosed herewith.

## METHOD OF PAYMENT OF FEES

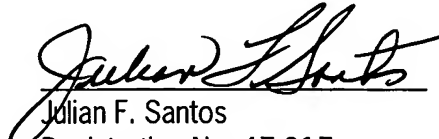
- ☐ Attached is a check in the amount of \$\_\_\_\_\_.
- ☐ Charge Deposit Account No. 13-2490 in the amount of \$\_\_\_\_\_. (A duplicate copy of this communication is enclosed for that purpose.)

Please charge any underpayment or credit any overpayment in connection with this communication to Deposit Account No. 13-2490. A duplicate copy of this communication is enclosed for this purpose.

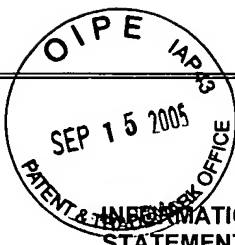
## **CERTIFICATE OF MAILING AS "FIRST CLASS MAIL" (37 CFR 1.8)**

I hereby certify that this correspondence and all attached paper(s) or fee(s) is being deposited with sufficient postage, with the United States Postal Service as FIRST CLASS MAIL TO ADDRESSEE in an envelope addressed to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450; with sufficient postage, on this 9<sup>th</sup> day of September 2005.

Respectfully submitted,

  
Julian F. Santos  
Registration No. 47,917

Date: September 13, 2005

FORM PTO-1449  
(Rev. 2-32)U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.

02-463-A

Serial No.

10/608,266

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)

Applicants:

Lewis et al.

Filing Date:

June 27, 2003

Group:

2643

## U.S. PATENT APPLICATION DOCUMENTS

Examiner Initial		Document Number	Filing Date	Name	Class	Subclass	Publication Date if Appropriate
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Examiner Initial		Document Number	Date	Country	Class	Subclass	Translation Yes No	
	3.	EP 1 016 960 A	07/05/2000	EPO				X

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.